

**PUBLIC NOTICE  
OF INTENT TO PROPOSE OR PROMULGATE  
NEW OR CHANGED AGENCY RULES**

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

**IDAPA 04 - OFFICE OF THE ATTORNEY GENERAL  
Statehouse, P.O. Box 83720, Boise, Idaho 83720-0010**

Docket No. **04-1101-9601**, Model Rules of Administrative Procedure. Incorporates statutory changes to the Administrative Procedures Act, Comment By: November 27, 1996.

Docket No. **04-1101-9602**, Model Rules of Administrative Procedure. Deletes obsolete rule; clarifies that an agency may compel discovery in contested case proceedings only when there is a basis for discovery independent of the Administrative Procedure Act and these rules; that records of contested case hearings or oral presentations for rulemaking may be preserved by recording the proceedings or using a court reporter to take the proceedings; and that an agency contact person must be listed in the notice of proposed rule-making, Comment By: November 27, 1996.

**IDAPA 11 - IDAHO DEPARTMENT OF LAW ENFORCEMENT  
P.O. Box 700, Meridian, ID 83680-0700**

Docket No. **11-0201-9601**, Rules of the Idaho State Brand Board. Changes fee for renewal of recorded brand from \$20 every 2 years to \$50 every 5 years; and increases fee for Animal Health from \$.18 to \$.22 per head, Comment By: November 27, 1996.

Docket No. **11-0401-9601**, Rules Governing Horse Racing. Changes would allow Commission to indicate horses which are on a non-steroidal anti-inflammatory drug on the daily racing programs and other publications in addition to posting such horses on a list in the racing area, Comment By: November 27, 1996.

Docket No. **11-0401-9602**, Rules Governing Horse Racing. Changes may require a person filing an appeal to pay an additional \$200 to cover the costs, which may be forfeited should the appeal be denied, Comment By: November 27, 1996.

Docket No. **11-0401-9603**, Rules Governing Horse Racing. Trifecta pools with hard entries may not be established for any race with fewer than eight racing interests scheduled to start unless otherwise exempt; and clarifies single wagering interests, Comment By: November 27, 1996.

Docket No. **11-1101-9602**, Peace Officer Standards and Training Council Rules. Change would allow the council to waive the hearing requirements for an applicant with a hearing specialist's certification as long as the condition did not jeopardize or impair the applicant's ability to perform the duties of a sworn peace officer, Comment By: November 27, 1996.

Docket No. **11-1101-9603**, Peace Officer Standards and Training Council Rules. Creates a part-time basic certificate, provides criteria for pay back provisions, and establishes number of hours for part time certification and when it lapses; defines "temporary employment"; sets minimum standards for employment; eliminates "part-time" language from the level 1 reserve certification.; opens up the career-level certifications for detention officers and dispatchers and removes the training and experience conversion rates for them; eliminates certain requirements and adds new ones; and deletes old rules, Comment By: November 27, 1996.

Docket No. **11-1101-9604**, Peace Officer Standards and Training Council Rules. Stipulates the requirement and procedures for the Self-Sponsored Student Program; Comment By: November 27, 1996.

Docket No. **11-1101-9605**, Peace Officer Standards and Training Council Rules. Reflects the standards and procedures for the new Canine Team Certification, Comment By: November 27, 1996.

**IDAPA 15 - OFFICE OF THE GOVERNOR  
IDAHO EMERGENCY RESPONSE COMMISSION  
4040 Guard St., P.O. Box 83720, Boise, ID 83720-3401**

Docket No. **15-1301-9601**, Rules of the Idaho Emergency Response Commission. Changes mailing address, updates language to reflect all Regional Response Teams, and defines the levels of incidents, Comment By: November 27, 1996.

**IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE  
P.O. Box 83720, Boise, Idaho 83720-0036**

Docket No. **16-0101-9603**, Air Pollution Control. Changes conform to changes in federal regulations, Comment By: December 13, 1996.

Docket No. **16-0118-9601**, Idaho Land Remediation Rules. New rules implement the Idaho Land Remediation Act, Comment By: November 27, 1996.

Docket No. **16-0304-9603**, Food Stamp Program. Changes increase the vehicle fair market value exclusion, gross and net income limits for households, maximum allotment amounts for households, and the standard utility allowance; changes the date an application is considered filed when received in the wrong field office; and adds penalty for intentional program violation, Comment By: November 27, 1996.

**IDAPA 17 - IDAHO INDUSTRIAL COMMISSION  
P. O. Box 83720, Boise, Idaho 83720-0041**

Docket No. **17-0204-9601**, Benefits. Change ensures that in workers' compensation cases mileage reimbursement for travel for physical or vocational rehabilitation is requested and calculated in the same manner as mileage reimbursement for travel for medical treatment, Comment By: November 27, 1996.

Docket No. **17-0205-9601**, Administrative Rules Under the Workers' Compensation Law. Changes incorporate a form for the Industrial Commission to use in collecting premium taxes on workers' compensation insurance policies; and relates the terms used in the insurance code to terms used in the Workers' Compensation Law, Comment By: November 27, 1996.

Docket No. **17-0206-9601**, Employers' Reports. Changes incorporate a form for reporting payments made on workers' compensation claims that involve payment of medical benefits only; and provides a specific time for filing the report and allows for electronic filing, Comment By: November 27, 1996.

Docket No. **17-0501-9601**, Rules Under the Crime Victims Compensation Act. Changes incorporate new legislation added to the Act by the 1996 Legislature, Comment By: November 27, 1996.

**IDAPA 18 - IDAHO DEPARTMENT OF INSURANCE  
PO Box 83720, Boise, Idaho 83720-0043**

Docket No. **18-0144-9601**, Schedule of Fee, Licenses, and Miscellaneous Charges. Changes make fees, licenses, and miscellaneous charges non-refundable unless otherwise noted, Comment By: November 27, 1996.

Docket No. **18-0160-9601**, Long-Term Care Insurance Minimum Standards. Changes eliminate a subsection to conform with the 1996 amendments to section 41-4605, Idaho Code, Comment By: November 27, 1996.

Docket No. **18-0176-9601**, Fire Alarm System Contractors. Rules assures that fire alarm systems and their appurtenances are being installed and maintained in accordance with applicable codes; requires insurance, and bonding to register such installers; establishes regulation by the State Fire Marshal through the Department; and sets penalties and fees for the administration of this rule, Comment By: November 27, 1996.

Docket No. **18-0177-9601**, Actuarial and Memorandum Rule. Sets forth guidelines and standards for statements of actuarial opinion and supporting memoranda required of exempt and non-exempt insurers by Idaho Code; and rules applicable to appointment of actuaries by insurers, Comment By: November 27, 1996.

**IDAPA 27 - IDAHO STATE BOARD OF PHARMACY  
280 N. 8th Street, Suite 204, Boise, Idaho 83702**

Docket No. 27-0101-9602, Rules of the State Board of Pharmacy. Changes allow pharmacists to provide certain home health nurses with specified noncontrolled emergency medications for use in emergency situations and to appoint designees to restock properly maintained emergency kits; pharmacists with a physical disability can apply for inactive license status and will alter the licensing of preceptors to preceptor sites; allows a 34 day supply of drugs to be delivered to nursing home facilities in lieu of the current 8 day supply and will allow for return credit in appropriate situations; requires that new or remodeled pharmacies provide an area for patient counseling as to the use, side effects or other issues relating to dispensed medication; and requires pharmacists to attend some of their continuing education requirements at live programs without increasing the number of hours required for pharmacists, Comment By: November 27, 1996.

**IDAPA 45 - IDAHO HUMAN RIGHTS COMMISSION  
PO Box 83720, Boise, Idaho 83720-0040**

Docket No. **45-0101-9601**, Rules of the Human Rights Commission. Changes modernize language and update Commission's address; remove repetitive and unnecessary sections and clarify confusing terminology; allows for sworn testimony of witnesses; and adds policy for three-year document destruction, Comment By: November 27, 1996.

**IDAPA 49 - DEPARTMENT OF IDAHO CERTIFIED SHORTHAND REPORTERS BOARD  
550 W. State St., PO Box 83720, Boise, ID 83720-0017**

Docket No. **49-0101-9601**, Rules Governing Certified Shorthand Reporters Board. Changes testing requirements to meet national standards; clarifies rules for revocation, suspension or reinstatement of a certified shorthand reporters' certificate and the responsibilities of the Board, the attorney general and adds the right to appeal by the reporter., Comment By: November 27, 1996.

**IDAPA 50- COMMISSION OF PARDONS AND PAROLE  
PO Box 83720, Boise, ID 83720-1807**

Docket No. **50-0101-9601**, Rules of the Commission of Pardons and Parole. Repeal of chapter, Comment By: November 27, 1996.

Docket No. **50-0101-9602**, Rules of the Commission of Pardons and Parole. Rewrite of chapter, Comment By: November 27, 1996.

**PUBLIC HEARING - Public Hearings Will Be Held for the Following Dockets:**

**IDAHO FISH AND GAME COMMISSION**

Docket No. **13-0109-9604** -- Rules Governing Game Birds (Sandhill Cranes)

**IDAHO DEPARTMENT OF HEALTH AND WELFARE**

Docket No. **16-0101-9603** -- Rules Governing Air Pollution Control in Idaho

Docket No. **16-0118-9601** -- Idaho Land Remediation Rules

Please refer to the Idaho Administrative Bulletin, **November 6, 1996, Volume 96-11** for notices and text of all temporary, final, and negotiated rule-makings, corrections, public hearing schedules, and other notices.

Citizens of your county can view all issues of the Idaho Administrative Bulletin at the county law libraries.

Copies of the Administrative Bulletin and other rules publications are available for purchase. For subscription information and ordering call (208) 334-3577 or write the Office of the Administrative Rules Coordinator, Department of Administration, 700 W. State St., 4th Floor, Boise, Idaho 83720. Visa and Mastercard accepted.

The Idaho Administrative Bulletin and Administrative Code are now available on the Internet at the following address: **<http://www.state.id.us/>** - from the Home Page under the Executive Branch find State Government Agencies, then Rules of the State of Idaho.